

Demetrius Jenkins

Din # 03-A-2795

Attica Correctional Facility

P.O.Box 149

Attica, N.Y. 14011-0149

April 23, 2008

Honorable Alvin K. Hellerstein
United States District Judge
United States District Court
Southern District Of New York
500 Pearl Street, Room 910
New York, N.Y. 10007-1312

RE: Jenkins v. Conway,
07-Civ-8263 (AKH)

*An enlargement to
June 13, 2008 is
granted. No further
enlargements.
5-2-08*

[Signature]

Dear Honorable Judge Hellerstein,

Enclosed you will find a motion for an enlargement of time
with proof of service on the respondents.

Very Truly Yours,

Demetrius Jenkins

cc

File

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEMETRIUS JENKINS,
Petitioner,

-against-


07-Civ-8263 (AKH)
NOTICE OF MOTION

JAMES T. CONWAY,
Respondent.

PLEASE TAKE NOTICE That upon the annexed affidavit of Demetrius Jenkins, appearing pro-se, and the pleadings herein plaintiff/petitioner will move this court, before **Alvin K. Hellerstein**, United States District Court Judge, for an order pursuant to rule 6 (b) of the federal rules of civil procedure granting an enlargement of time to file a response which will include a memorandum of law to respondent's opposition to petitioner's writ of habeas corpus.

This motion is submitted to the court at a date and time to be set by the court at the U.S. courthouse, 500 Pearl Street, New York, N.Y. 10007. Oral argument is not requested. I declare under penalty of perjury that the foregoing is true and correct.

DATED: Attica, New York
April 23, 2008


Demetrius Jenkins

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEMETRIUS JENKINS,

Petitioner,

07-Civ-8263 (AKH)

AFFIDAVIT IN

-against-

SUPPORT OF MOTION

JAMES T. CONWAY,

Respondent.

I, DEMETRIUS JENKINS, affirm under penalty of perjury that:

1. Demetrius Jenkins am the plaintiff/petitioner in the above entitled action, and respectfully move this court to issue an order pursuant to rule 6 (b) of the rules of civil procedure to enlarge the time in which to file a response which will include a memorandum of law to respondent's opposition to petitioner's writ of habeas corpus.
2. The reason(s) why I am seeking this enlargement of time is due to the complexity in the way the issues are being raised, and secondly, due to the fact that scheduling for attendance in the law library is not within my personal control, as I have to rely upon the law library supervisor for scheduling, and I cannot attend the law library every day.

3. Pursuant to this court's order of January 3, 2008, this court initially gave petitioner thirty (30) days from the receipt of the respondent's opposition to file a response. Since petitioner received the respondent's opposition on April 2, 2008, that would make petitioner's due date May 2, 2008. Petitioner now respectfully ask for an enlargement of time of thirty (30) days which would make the new due date June 2, 2008. There has not been any prior request for an extension of time.

WHEREFORE, petitioner respectfully requests that this court enlarge the time to file a response and memorandum of law to June 2, 2008.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Attica, New York

April 23, 2008

A handwritten signature in cursive script, reading "Demetrius Jenkins", written over a horizontal line.

Demetrius Jenkins

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEMETRIUS JENKINS,

Petitioner,

-against-

07-Civ-8263(AKH)

JAMES T.CONWAY,

AFFIDAVIT OF SERVICE

Respondent.

I, DEMETRIUS JENKINS, declare under penalty of perjury that I have served a copy of the attached motion for an enlargement of time upon the District Attorney of New York County, at this address, One Hogen Place, New York, N.Y. 10013, by sealing the same in a properly addressed postage pre-paid wrapper and turning same over to prison officials here at the Attica Correctional Facility to be processed for mailing via united states mail.

DATED: Attica, New York

April 23, 2008



DEMETRIUS JENKINS, 03-A-2795

Attica Correctional Facility

P.O. Box 149

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